



STATE OF NEW JERSEY

Board of Public Utilities

Two Gateway Center

Newark, NJ 07102

www.bpu.state.nj.us

Customer Assistance

IN THE MATTER OF INDEPENDENCE
PLATING CORP., PETITIONER v. PUBLIC)
SERVICE ELECTRIC AND GAS
COMPANY, RESPONDENT

ORDER ADOPTING
INITIAL DECISION

BPU Docket No. GC05090777U

OAL Docket No. PUC 1188-06

(SERVICE LIST ATTACHED)

BY THE BOARD:

On September 7, 2005, Independence Plating Corp. (Petitioner) filed a petition with the Board of Public Utilities (Board) for a hearing in regard to a billing dispute with Public Service Electric and Gas Company (PSE&G) (Respondent). On October 25, 2005, Respondent filed a response.

On December 23, 2005, the Board transmitted this matter to the Office of Administrative Law (OAL) for determination and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. The matter was assigned to Administrative Law Judge (ALJ) Edith Reiner.

During the pendency of this matter at the OAL, the parties engaged in negotiations and reached a settlement. The settlement was submitted to the ALJ for review. On March 8, 2006, ALJ Reiner filed an Initial Decision with the Board, memorializing the terms of the settlement and recommending that it be approved. The ALJ found the settlement to be voluntary, consistent with the law and fully dispositive of all issues in controversy. The ALJ therefore concluded that the settlement met the requirements of N.J.A.C. 1:1-19.1.

Under the terms of the settlement, PSE&G agrees to forgive Petitioner's late payment charges of \$13,880.88, remove February 2006 current charges of \$13,063.00 and to reduce Petitioner's outstanding balance by an additional \$3,549.65. Petitioner agrees to pay PSE&G \$6,000.00 in six monthly installments of \$1,000.00 each and additionally to pay all charges when current.

The Board FINDS that the terms of the settlement are fair and reasonable. Therefore, the Board HEREBY ADOPTS the Initial Decision and Stipulation of Settlement in their entirety, incorporating the terms thereof into this final decision as if fully set forth at length herein.

DATED:

4/13/06

BOARD OF PUBLIC UTILITIES

BY:



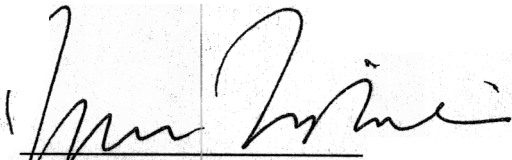
JEANNE M. FOX
PRESIDENT



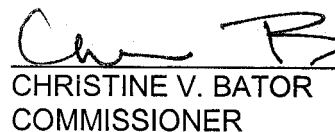
FREDERICK F. BUTLER
COMMISSIONER



CONNIE O. HUGHES
COMMISSIONER

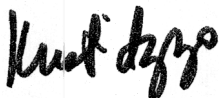


JOSEPH L. FIORDALISO
COMMISSIONER



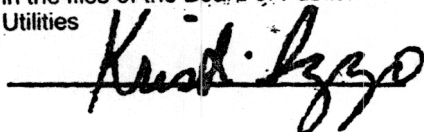
CHRISTINE V. BATOR
COMMISSIONER

ATTEST:



KRISTI IZZO
SECRETARY

I HEREBY CERTIFY that the within
document is a true copy of the original
in the files of the Board of Public
Utilities



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BPU Docket No. GC05090777U
OAL Dkt. No. PUC 1188-06

Independence Plating Corp. v. Public Service Electric and Gas Company

BPU Docket No. GC05090777U

OAL Dkt. No. PUC 1188-06

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CMS
BESLOW
RPA
SLAWYK, J
H. LEROP
STARK ②



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

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NEWARK, N.J.

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 1188-06

AGENCY DKT. NO. GCO509777U

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INDEPENDENCE PLATING CORP.,

Petitioner,

v.

PUBLIC SERVICE ELECTRIC

& GAS COMPANY,

Respondent.

Ralph J. Pocaro, Esq., for petitioner

Joseph E. Priddy, Esq., for respondent

Record Closed: February 21, 2006

Decided February 28, 2006

BEFORE ELINOR R. REINER, ALJ

On or about September 7, 2005, petitioner filed a petition with the New Jersey Board of Public Utilities for a hearing in regard to a bill dispute with respondent. On or about October 25, 2005, respondent filed its response. On January 10, 2006, this matter was transmitted to the Office of Administrative Law (OAL) as a contested case for hearing pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F-1 to -13

A mandatory early settlement conference was scheduled and held on February 21, 2006, before the undersigned judge. On that date, the parties appeared, settlement conferences were held and a settlement was reached.

The parties have agreed to settle this matter and have prepared the attached Settlement Agreement, indicating the terms of settlement.

have reviewed the record and the settlement terms and **FIND:**

- 1 The parties have voluntarily agreed to the settlement, as evidenced by their signatures or their representatives' signatures.
- 2 The settlement fully disposes of all issues in controversy and is consistent with the law.

I **CONCLUDE** that this agreement meets the requirements of N.J.A.C. 1:1-19.1 and that the settlement should be approved. I **APPROVE** the settlement and, therefore, **ORDER** that the parties comply with the settlement terms and that these proceedings be concluded.

hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration

This recommended decision may be adopted, modified or rejected by the **BOARD OF PUBLIC UTILITIES**, which by law is authorized to make a final decision in this matter. If the Board of Public Utilities does not adopt, modify or reject this decision within forty-five (45) days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10

February 28, 2006
DATE

Elinor R. Reiner
ELINOR R. REINER, ALJ

Receipt Acknowledged:

3/8/06
DATE

[Signature]
BOARD OF PUBLIC UTILITIES

Mailed to Parties

DATE
al

OFFICE OF ADMINISTRATIVE LAW

SETTLEMENT AGREEMENT

In the matter of Independence Plating Corp. v. Public Service Electric & Gas Company (OAL Docket No. PUCCC 01188-2006N; BPU Docket No. GC0509077U), the parties have agreed to settle the dispute in accordance with the following terms:

Independence Plating Corp. owes PSE+G \$36,493.53 as of February 20, 2006. Of this amount, \$13,063.00 is the amount owed for the current February 2006 bill. Also included in the \$36,493.53 is \$13,880.88 in late payment charges.

PSE+G agrees to forgive the late payment charges in accordance with the terms of this settlement agreement. PSE+G also agrees to adjust from the outstanding balance an additional \$3,549.65.

By removing current charges (\$13,063), late payment charges (\$13,880.88) and the additional adjustment (\$3,549.65), the remaining outstanding balance is reduced to \$6,000.

Commencing with the March 2006 bill, Petitioner agrees, to pay \$1000 per month for six months and additionally to pay all charges when current (\$13,063 at present) to remain current on the account in the future.

In the event that Independence Plating Corp. does not comply with the terms of this settlement agreement, it shall be revoked by ^{Petitioners} ~~its~~ failure to comply and the full amount forgiven by this settlement agreement, including late payment charges and field collection charges, shall become immediately due and payable.

Accordingly, in consideration for the payment amount and payment terms set forth in this settlement agreement, the parties ask that the Petition be dismissed with prejudice.

Agreed to by the parties this twenty-first day of February 2006

RF Knigge, Pres.
By: RF Knigge, Pres
Independence Plating Corp.

Edward Sullivan
Edward Sullivan
PSE&G